

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Henry A. Beckman,) C/A No. 5:17-cv-02479-DCC
)
)
Plaintiff,)
)
)
v.)
)
)
Warden Davis, Lieutenant Chestnut,)
Sergeant Wright, Ms. D. Albert, and)
C. Frye,)
)
)
Defendants.)
)

OPINION AND ORDER

Warden Davis, Lieutenant Chestnut,
Sergeant Wright, Ms. D. Albert, and
C. Frye,

Defendants.

Plaintiff, a State prisoner, filed this action against Defendants, alleging, *inter alia*, violations of his constitutional rights. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (D.S.C.), this matter was referred to a United States Magistrate Judge for pre-trial handling. The Magistrate Judge issued a Report and Recommendation (“Report”) on March 23, 2018, recommending that the Court dismiss this case for failure to prosecute. ECF No. 42. No objections were filed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270–71. The Court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the Court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (“[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that

there is no clear error on the face of the record in order to accept the recommendation.” (quoting Fed. R. Civ. P. 72 advisory committee’s note to 1983 addition)).

Having reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge, the Court finds no clear error and adopts the Report by reference in this Order. Therefore, the case is **DISMISSED**.

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.
United States District Judge

April 11, 2018
Spartanburg, South Carolina